

Decision Memo
Red Creek Trail Bridge Removal (Project ID N0306)

USDA Forest Service
Wapiti Ranger District, Shoshone National Forest
Park County, Wyoming
T53N, R109W, Section 14

Background

The Red Creek Trail (#75120) is a critical component of the mainline trail system in the North Absaroka Wilderness and is a key component of maintaining a wilderness transportation system, as directed by the Shoshone National Forest Land and Resource Management Plan (Forest Plan). Hikers, horses, and pack stock use the trail as a primary access to the North Absaroka Wilderness and Yellowstone National Park.

The Red Creek bridge was damaged during the Yellowstone fires of 1988 and has become a safety risk to the people and animals that use the trail. Engineers have identified the bridge as not being up to standard; without removal or replacement, safety problems with the bridge will continue.

The bridge at Red Creek is not essential. Approximately 1,320 feet of trail can be rerouted, eliminating the need for the bridge.

The project is needed to maintain the wilderness transportation system as directed by the Forest Plan, and to meet these project goals: 1) reduce hazards and improve safety conditions for wilderness trail users on foot and horse, and pack stock, 2) improve the trail the trail design and location to maintain the effectiveness of the short- and long-term maintenance, and 3) improve the visitor's experience on the trail and provide primitive recreation opportunities.

Decision

I have decided to implement the Red Creek Trail Bridge Removal project, as proposed.

Reconstruction will be completed to standard and in conformance with the Forest Plan and the Wilderness Management Plan. The trail will still meet wilderness experience criteria for a trail that provides a high degree of challenge, self-reliance, and risk. It is neither intended nor anticipated that visitor use numbers or campsite impacts will increase to a measurable degree along the trail corridor because of this action.

Project Design and Mitigation

To minimize any environmental effects, these project design criteria and implementation methods are an integral part of the proposed action.

- Construct the trail/tread to the standard necessary to accommodate the specified class of user
- A cultural resource survey was completed. Project design includes protecting the historic nature of the area.
- To minimize impacts to existing campsites or new use areas, the trail reconstruction crew will use Leave No Trace camping techniques. The use of stock by crews will be limited as much as possible to minimize the formation of new impacted sites.
- Weed-free certified feed will be used for horses and pack stock.
- Trail design would include water drainage to reduce siltation and runoff to streams. All stream crossings should protect channel, substrate and streambank integrity.
- Bear food storage orders and other techniques for camping in bear country will be followed. All persons involved in the project will comply with the following conditions in the conduct of all activities in order to prevent bear/human conflicts and to minimize injuries if involved in a bear encounter:
 - Complete human safety awareness training relative to bear/human conflict prevention/avoidance procedures, encounter procedures, and the use of bear spray

- Bear-resistant storage facilities will be available, and all persons will adhere to the proper use and storage of attractants.
- All persons will adhere to the identified garbage and refuse handling and disposal procedures.

This action is categorically excluded from documentation in an environmental impact statement or an environmental assessment because the proposed action falls under Category 1 in Section 32 of Forest Service Handbook 1909.15—Environmental Policy and Procedures Handbook—Construction and Reconstruction of Trails.

The categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. Based on scoping, field reviews, specialist input and experience, and project design and mitigation measures, this action will be of limited context and intensity and will result in little or no environmental effects to either the physical or biological components of the environment.

Public Involvement

This decision is being distributed to interested and potentially affected parties, including those who responded to the scoping letter or expressed an interest in the project. The scoping statement was mailed on January 15, 2003, initiating a 30-day comment period. It was mailed to county commissioners, state agencies, Native American Tribes, conservation and environmental groups, radio stations, newspapers, and private individuals. Additionally, the scoping statement was posted on the Forest's Internet web page. The project was listed on the Forest's Schedule of Proposed Actions beginning with the First Quarter 2003 report.

Findings Required by Other Laws

Removing an existing bridge is consistent with laws (Wilderness Act), regulations, and policy, as well as standards and guidelines in the Forest Plan. The management area is 8C, where the primary management direction is to provide for semi-primitive wilderness opportunities. This decision is in accordance with the Wilderness Management Plan and other applicable federal regulations and laws.

This decision was coordinated with the Forest archaeologist and the Wyoming State Historic Preservation Office (SHPO). In a letter from the SHPO (dated 5/24/02) to Region 2 of the Forest Service, if a cultural resource survey is completed and no sites are found then it is not necessary to wait for a concurrence letter from SHPO before the project can proceed. No sites (see project file, report dated 7/21/03) were found in the bridge and trail project area; therefore, concurrence is assumed for the purposes of Section 106 compliance.

Under Forest Service Handbook definition, extraordinary circumstances exist, only when *conditions* associated with the proposed action are identified "as potentially having effects which may significantly affect the environment." Scoping was conducted to identify any conditions associated with a normally excluded action as potentially having effects, which may significantly affect the environment. Extraordinary circumstances include, but are not limited to, steep slopes or highly erosive soils, threatened and endangered species or their critical habitat, wetlands and flood plains, municipal watersheds, inventoried roadless areas, Congressionally designated areas (such as wilderness, wilderness study areas, or National Recreation Areas), Research Natural Areas, or Native American religious or cultural sites, archaeological sites, or historic properties or areas. These are summarized in the table below to describe the situation for extraordinary circumstances and the effects the project would or would not have.

Determinations for extraordinary circumstances were reviewed in the context of the Forest Service Handbook (1909.15, 30.3-30.5) and definition and the court decision below¹. Extraordinary circumstances

¹ The United States District Court for the District of Utah recently reviewed the provisions of the FSH related to categorical exclusions in *Utah Environmental Congress vs. U.S. Forest Service*, Case No. 2:01-CV-00390B. In a

exist, or are “present” only when *conditions* associated with the proposed action are identified “as potentially having effects which may significantly affect the environment.”

Extraordinary Circumstances	Conditions that may lead to a finding of extraordinary circumstances (Yes or No). If needed, the discussions of <i>conditions</i> that may lead to a finding of extraordinary circumstances are discussed in greater detail following the table.
a. Steep slopes or highly erosive soils	Yes. Steep slopes or highly erosive soils are present due to the mountain setting and Absaroka volcanics soil; however, <i>conditions</i> that may lead to a finding of extraordinary circumstances do not exist since the proposed action would relocate sections of the trail with erosion problems to a better location. Resource values will be enhanced and protected because of the project, by correcting erosion problems occurring on the existing trail. The new trail segments will be designed with erosion control structures (dips, cross drains) to reduce the erosion potential.
b. Threatened and endangered species or their critical habitat (Attach concurrence from fisheries/wildlife biologist and botanist as needed)	Yes, discussed below. A Biological Assessment for Proposed and Listed Species and a Biological Evaluation for R-2 Sensitive Species was completed.
c. Flood plains, wetlands, or municipal watersheds	Yes. Flood plains, wetlands, or municipal watersheds are present; however, <i>conditions</i> that may lead to a finding of extraordinary circumstances do not exist.
d. Congressionally designated areas, such as wilderness, wilderness study areas, or National Recreation Areas.	Yes. This trail reconstruction and bridge replacement work occurs in the North Absaroka Wilderness; this proposal is not expected to reduce values associated with Wilderness. Proposed work is not expected to cause any large increase in visitor use numbers or impacts. The intent of the project is to provide a safe experience with a more “untrammelled” character. The project complies with the Wilderness Act and the Wilderness Management Plan. Therefore, <i>conditions</i> that may lead to effects from the project on Congressionally designated areas and Wilderness areas do not exist.
e. Inventoried roadless areas.	No. None present; therefore, no effects from the project on inventoried roadless areas.
f. Research Natural Areas	No. None present; therefore, no effects from the project on Research Natural Areas.
g. Native American religious or cultural sites, archeological sites, or historic properties or areas.	No. None present as determined by the Forest Archaeologist and survey dated 7/21/03.

Conditions that may lead to a finding of extraordinary circumstances are discussed in detail in the following:

Threatened and Endangered Species

I have concluded that the project would have no effect on any endangered or threatened species known or suspected to occur in the project influence zone; therefore, no conditions that may lead to a finding of extraordinary circumstances exist. This is based on the biological evaluation process followed by the North Zone Wildlife Biologist who concluded: *“It is my determination that the proposed action will have “no effect” on any proposed or listed species known or suspected to occur in the Red Creek bridge and trail area. I have also concluded that this proposed action would have “no effect” on any Region 2 sensitive species known or suspected to occur in the project area, or on any Forest Plan management indicator species (MIS) that are known or suspected to occur in the project area.”* The wildlife documentation for the analysis/evaluation is located in the project file.

Memorandum Opinion and Order issued June 19, 2001, the court found the above interpretation of the FSH to be reasonable. Specifically, the court found that the phrase “presence of” referred to *conditions* that may lead to a finding of extraordinary circumstances, not to the phrase “extraordinary circumstances.”

Summary

An evaluation of potential effects to extraordinary circumstances was completed. This analysis indicated that no extraordinary circumstances would be adversely affected. I have reviewed the proposal and determined that no significant effects would occur from its implementation. The effects of the actions, as determined through scoping, are not highly controversial and are similar to other actions that have been implemented in the area.

Trail/bridge rehabilitation and hazard reduction to improve human health and safety on mainline trails are common, ordinary, and necessary actions. The effects on the human environment are neither highly uncertain nor involve unique risks. The Forest Service has been maintaining and reconstructing bridges and trails for years with predictable results. The methods and techniques used for implementation are neither new nor experimental. Current management in the area includes trail maintenance, monitoring of campsite impacts and social encounters, outfitter/guide administration, protecting wilderness values, fire management and resource protection.

The proposed action is not related to any actions that would result in significant cumulative impacts when viewed with ongoing and reasonably foreseeable actions. The project does not represent a decision in principle about future considerations and does not violate federal, state, or local laws or requirements imposed for protection of the environment. Implementation of this project does not necessitate the need for any future actions other than annual maintenance of the improvements and maintaining the wilderness transportation system. No significant effects on the physical, biological, economic, or social elements of the human environment were identified.

Implementation Date

Considerations and constraints such as budget and personnel, and changing priorities from impacts of the fire season could affect the scheduling and completion of the project. Because of the safety problems, removal of this bridge is a priority and will be completed during the 2003 field season. Because of the distance to the job and the short operating season (due to the high water, climate and elevation of the site), the actual time required for the work may vary slightly, but should be completed within 30 days during August of the 2003 field season.

Administrative Review or Appeal Opportunities

This decision can be implemented immediately and is not subject to appeal pursuant to 36 CFR 215.8 (a) (4).

Contact Persons

For further information on this decision or project implementation, contact Trampus Barhaug, Backcountry Trails; Thad Harper, Recreation/Wilderness; or Marty Sharp, NEPA Coordinator, at 203A Yellowstone Ave., Cody, Wyoming 82414 or telephone 307-527-6921.

/s/ Thad Harper

7/31/03

Dave Sisk
Acting District Ranger

Date